

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEBORAH D. PETERSON, *et al.*,

Plaintiffs,

v.

Case No. 13-cv-9195 (LAP)

ISLAMIC REPUBLIC OF IRAN; BANK
MARKAZI a/k/a CENTRAL BANK OF
IRAN; BANCA UBAE SpA;
CLEARSTREAM BANKING, S.A.; and
JP MORGAN CHASE BANK, N.A.,

Defendants.

SUPPLEMENTAL DECLARATION OF ALI ASGHAR MASSOUMI

ALI ASGHAR MASSOUMI declares as follows pursuant to 28 U.S.C. § 1746:

1. I was formerly the Head of the Foreign Exchange Negotiable Securities Section of Bank Markazi from September 23, 1997 to October 19, 2010. I retired from Bank Markazi on March 20, 2018, and no longer work at Bank Markazi. My native language is Farsi, but I also speak and read English. I understand the contents of this declaration in English.

2. In 2010, I provided an affidavit in the *Peterson* case in New York about Bank Markazi's accounts at Clearstream Banking, S.A. in Luxembourg and Banca UBAE SpA in Italy, as well as Bank Markazi's investments in sovereign and supranational bonds. I am providing this supplemental declaration to add some details about my understanding of Clearstream's correspondent bank accounts in the United States.

3. As the Head of the Foreign Exchange Negotiable Securities Section of Bank Markazi, I supervised the group in Bank Markazi that invested in sovereign and supranational bonds through Bank Markazi's accounts at Clearstream and UBAE. I recall that I was generally


aware around the 2008 timeframe that Clearstream had correspondent bank accounts at United States banks. I recall that this information was published on Clearstream's website and in the manuals we received from Clearstream, although I do not remember the exact names and details of Clearstream's correspondent banks. I also recall that, to fund our cash account with Clearstream, we normally asked our correspondent bank to remit amounts to one of Clearstream's correspondent banks so that Clearstream would settle our bond purchases.

4. To my knowledge, however, Bank Markazi had no control over Clearstream's correspondent bank accounts, no access to Clearstream's correspondent accounts, and no role in managing or operating those correspondent accounts. I understood that Bank Markazi had no right to demand that Clearstream use a particular correspondent bank account to process payments on a bond. I did not consider that Bank Markazi had any business telling Clearstream what correspondent banks to use, as our sole concern was whether our account with Clearstream was credited with the interest or principal on a bond when due.

5. I also recall that, when I wanted to purchase a Eurodollar bond for Bank Markazi, I would approach a financial institution like UBS in Zurich, and we would discuss matters such as the issuer, the maturity, the coupon rate, the rating, and the price for the nominal amount we intended to buy. I do not recall ever inquiring into which depository the bonds would be kept at or what correspondent banks would be used to process the principal or interest payments on the bonds. I did not consider that it was Bank Markazi's business to know or ask about those matters.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: September 2, 2020
Tehran, Iran (date)



Ali Asghar Massoumi